

On January 3, 1931, the Fruit Industries (Ltd.), New York, N. Y., claimant, having admitted the allegations of the libels and having consented to the entry of decrees, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of bonds totaling \$2,260, conditioned in part that it should not be sold or otherwise disposed of contrary to law.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17864. Misbranding of Chloro-Zol. U. S. v. 13 Dozen Small-Sized Packages, et al., of Chloro-Zol. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 24855. I. S. No. 023768. S. No. 3180.)

Examination of samples of a product, known as Chloro-Zol, from the herein-described interstate shipment having shown that its labels bore claims of therapeutic and curative properties for the article that it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Colorado.

On June 30, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 13 dozen small-sized packages and 13 large-sized packages of Chloro-Zol, remaining in the original unbroken packages at Denver, Colo., consigned by the American Drug & Chemical Co., Minneapolis, Minn., alleging that the article had been shipped from Minneapolis, Minn., on or about May 6, 1930, and transported from the State of Minnesota into the State of Colorado, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained chloramine.

It was alleged in the libel that the article was misbranded in that the following statements appearing in the labeling, regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Box label) "Open Sores * * * Sore Throat;" (carton) "Open Sores * * * Sore Throat * * * Acne, etc.;" (circular) "Pyorrhea—Trench Mouth * * * Sore Throat * * * Acne (Pimples) Boils, Etc. * * * Sores * * * It is recommended in the treatment of Leucorrhoea, Vaginitis, Catarrhal Inflammations and Mucopurulent Discharges of the Vagina."

On December 4, 1930, the Buerger Bros. Supply Co., Denver, Colo., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$200, conditioned in part that it be relabeled under the supervision of this department.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17865. Misbranding of Tettremidy. U. S. v. 6½ Dozen Bottles of Tettremidy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25448. I. S. No. 8723. S. No. 3655.)

Examination of samples of a drug product, known as Tettremidy, from the herein-described interstate shipment having shown that the labels bore claims of therapeutic and curative properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Louisiana.

On or about December 9, 1930, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of six and one-half dozen bottles of Tettremidy, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by the Eucaline Medicine Co., Dallas, Tex., on or about August 13, 1930, and transported from the State of Texas into the State of Louisiana, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of acetic acid, glycerin, and water, colored with a pink dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative or therapeutic effects, borne on the carton and bottle labels, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Tettremidy * * * is guaranteed by the manufacturer * * * in the treatment of any skin disease or trouble. * * * It is a

treatment for Eczema, Tetters, Itch (any form). * * * Hives, Pimples * * * Skin Eruptions, Shingles, Salt Rheum, Ring Worms, * * * Erysipelas, Itching Piles, Old Sores, or other Skin Diseases or Troubles. * * * Tettremidy is Especially guaranteed for the treatment of Dandruff. * * * relieve the itching, * * * keep the scalp free from Dandruff. * * * Tettremidy * * * for Eczema, Tetters and Itch. * * * Tettremidy is guaranteed for Any Skin Disease or trouble. Makes No Difference of how long standing, such as Tetters, Eczema (any form) Barber's Itch, Seven Year Itch, Army Itch and Itch in its various forms, Ring Worms, Pimples;" (bottle label) "Tettremidy for Tetters, Eczema, Itch (all kinds) Ringworm, Pimples, Skin Eruptions, Diseases of the Scalp, * * * For all Skin Troubles * * * for * * * Bunions * * * Especially for Eczema, Tetters and Itch."

On January 6, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17866. Misbranding of Dr. Whitehall's rheumatic remedy. U. S. v. 4 Dozen Cartons of Dr. Whitehall's Rheumatic Remedy. Default decree of destruction entered. (F. & D. No. 25343. I. S. No. 722. S. No. 3577.)

Examination of samples of a drug product, known as Dr. Whitehall's rheumatic remedy, from the herein-described interstate shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Southern District of California.

On November 28, 1930, the United States attorney filed in the United States District Court for the district aforesaid a libel praying seizure and condemnation of four dozen cartons of the said Dr. Whitehall's rheumatic remedy, remaining in the original unbroken packages at Los Angeles, Calif., consigned by the McCullough Drug Co., Cincinnati, Ohio, alleging that the article had been shipped from Cincinnati, Ohio, on or about September 27, 1930, and transported from the State of Ohio into the State of California, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets contained acetanilide, sodium salicylate, sugar, starch, and talc.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the said article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Carton) "Rheumatic Remedy * * * For Rheumatism and Gout. * * * Directions. For acute or Inflammatory Rheumatism take a tablet every 2 to 4 hours. * * * In Chronic cases, after severe symptoms have * * * For Gout, Lumbago, Stiff, Swollen and Tender Joints, Crick in the Back, Stiff Neck, and ordinary forms of Rheumatism;" (circular) "Rheumatic Remedy. For Rheumatism & Gout. * * * For the Benefit of Persons afflicted with Rheumatism in any of its various forms, we confidently offer * * * Rheumatic Remedy, One That Can be Relied Upon For Gout, Lumbago, Stiff, Swollen and Tender Joints, Crick in the Back, Stiff Neck, and other forms of Rheumatism * * * Rheumatic Remedy * * * Directions: For Acute Rheumatism, * * * In the treatment of Chronic Cases."

On January 6, 1931, no claimant having appeared for the property, a decree was entered adjudging the product misbranded and ordering that it be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17867. Adulteration and misbranding of Pyorrhine tooth powder. U. S. v. 1 5/6 Dozen Pyorrhine Tooth Powder No. 1, et al. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 25347, 25348. I. S. No. 1332. S. No. 3595.)

Examination of samples of products, labeled as Pyorrhine tooth powder No. 1 and Pyorrhine tooth powder No. 2, from the herein-described interstate shipment having shown that the labels represented them to be an antiseptic and germicidal, whereas they were not, and that the labels also bore claims of curative and therapeutic properties that the articles did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.